



Zoning Bylaw Working Group

Date: February 5, 2020

Time: 8:30 AM to 10:30 AM

Location: Town Hall Annex, Second Floor Conference Room

Minutes

Present: Pam Heidell, Charlie Kalauskas, Christian Klein, Stephen Revilak, David Watson, Ralph Willmer, John Worden, Erin Zwirko.

Absent: Mike Byrne, Adam Chapdelaine, Jenny Raitt.

Guests: Ali Carter, Camilo Espitia, Emily Innes, Ryan Kiracofe, Don Seltzer.

Erin opened the meeting by indicating that the consultants from RKG and Harriman are present to discuss the land use scenarios and market implications of the Economic Analysis of Industrial Districts. Ryan Kiracofe of RKG Associates noted that the presentation focuses on existing conditions. The next phase of the project is related to zoning recommendations and public engagement.

Ryan turned it over Emily Innes and Camilo Espitia of Harriman to discuss the land use scenarios. Emily explained that the land use scenarios were an exercise to achieve the square footage (200,000 square feet) that RKG identified as part of the fiscal impact study. The land use scenarios take into account building regulations, the adjacent zoning districts that would trigger the reduced height buffer area, the wetland regulations, and the maximum parking requirements. Emily indicated that the scenarios are based on their experience and information on the desired size of floorplates for industrial and office uses.

Camilo presented the first scenario on Forest Street. This site is constrained by an MWRA easement that runs through the property. The building footprints align with the desires of the market at 80- to 120-foot floorplates. However, the reduced height buffer area eliminates a floor resulting in 47,000 square feet.

The second scenario Camilo presented was on Park Ave (aka the Gold's Gym site). There are wetland jurisdictional areas so the building is located toward the south, although that puts it in proximity to residential uses on Lowell Street. The building results in 135,000 square feet, after considering the reduced height buffer area. This also results in a large amount of parking, but while a parking garage is likely uneconomical, a solar canopy may be a way to "hide" the large expanse of asphalt. Camilo also noted that this site, which has potential,

does not have ideal access as the streets surrounding the site are primarily residential and may not have the capacity for larger vehicles or trucks.

Charlie asked Emily if Harriman and RKG have spoken with developers about the feasibility of these scenarios. Emily will reach out to some developers to review.

Camilo then presented a scenario on Dudley Street. In this scenario, loading is challenging but many smaller industrial uses are utilizing smaller sprinter vans. This site is also constrained by wetland areas and the reduced height buffer area. It results in about 60,000 square feet. Emily noted that for this corner lot, she would envision that all facades would be treated equally and that development standards should apply. She also noted that parcel assembly would be difficult due to the many property owners.

John noted that the Dudley Street area is important for businesses that do everyday things, and it is important to keep that variety of uses. He is against any rezoning that would allow large-scale business or development. Emily noted that Dudley Street is a valuable area for Arlington since there are limited similar areas in the neighboring communities. Ryan noted that there is a strong mix of uses along Dudley Street, but there is a need to organize the curb better as there is a lack of differentiation between the street and sidewalk.

Camilo presented the last scenario at Garden Street. While the reduced height buffer does apply, it would result in 8,000 square feet. Emily noted that in this instance, based on the surrounding uses, this area might be a candidate for rezoning to allow higher density residential. The industrial zoning district does not allow residential uses. Steve noted that this industrial district is not ideal for industry due to access, but could be good office space. It was noted that a new office building was recently built on Garden Street.

To summarize some of the barriers, Ryan noted that they are parcel assemblage, access and abutting users, wetlands, unestablished market in Arlington for larger users, and market factors such as availability of transit in Arlington and attracting talent to Arlington. Ryan noted that Arlington may need a proof of concept, and Tetragenetics may be that example at 14,000 square feet. Arlington might also become an area where businesses start then move on to other locations where it is greater access or larger buildings.

Emily noted that RKG identified 200,000 square feet as a threshold for Arlington to compete. Without considering the reduced height buffer area, the scenarios result in 274,000 square feet. Applying the reduced height buffer area, the scenarios result in 230,000 square feet. Ralph asked if those numbers could be refined between office and manufacturing as it would be important to understand how to apply zoning knowing the various constraints. Ryan indicated that it could be broken down by industry. Steve felt these were sobering figures noting that Akamai's new facility in Kendall Square has 500,000 square feet, and Partners Health Care's new headquarters at Assembly Row has 735,000 square feet. There was some discussion about data centers as the staffing needs are low.

Ryan then provided information about square footage needs per industry codes. He indicated that there was not much value in that review, but when thinking about minimums or averages

(i.e., flex space), these areas are renting for more than traditional suburban office space. Ryan suggested the following minimums: 800-1,000 square feet per rentable space; 2,000-3,000 square feet per structure; and the average flex space is 1,500 to 4,500 square feet. Larger flex space of 10,000 square feet or more might attract business from a Kendall Square. For floorplates, approximately 80-120 feet wide and about 26 feet tall are ideal. He noted that Tetragenetics is 40 feet wide at its narrowest.

Ryan provided an example of breweries and bakeries as being good uses for adaptive reuse spaces and fit within more modest sized spaces. Ali noted that breweries have been interested in Arlington for a long time, but it would require regulatory changes to the alcohol regulations regarding food service.

Charlie asked about RKG's review of the fiscal impact study relative to the assumptions on student costs. Ryan indicated that it is not the industry standard to include capital costs when estimating student cost, but will need to dig into it some more with the Town staff. John noted that he asked Don Seltzer to attend the meeting and provide some of his findings. Don made a presentation to illustrate how he calculated student cost. It was noted that the purpose of this project is to look at industrial uses, so student cost may not be a concern.

Erin asked the members about their preferences for public engagement. It was noted that RKG and Harriman should follow up on talking with developers about their assumptions, look at the fiscal impact again, and start thinking about recommendations before any engagement. RKG and Harriman are tentatively set to return during April. The members agreed that to host something during the Town Meeting lead up may be confusing for the community, so it was agreed that late May or early June would be a better time.

Regarding the citizen petition articles, Erin explained that she spoke with the Select Board office in advance of the meeting and the office was still compiling the citizen petitions for circulation to the Select Board, so the office requested that the items not be shared. As two of the ZBWG members submitted citizen petitions, Erin suggested that those members share their articles. She indicated that the March meeting could include a discussion about the others.

John submitted an article regarding the conversion of commercial space to residential space in Section 5.2.4 and a second article on behalf of Mrs. Worden regarding creating a definition of foundation.

On the first article, Steve noted that there is a broader issue to consider, that a change of use in a mixed-use structure is still mixed-use. If a mixed-use structure changes to entirely office, then there are different zoning regulations that the office building must be in compliance with. John thought that Steve's example was a different situation, where the article submission is focused on the addition or expansion for housing.

Christian wondered if the situation John addresses with the warrant article would trigger EDR. Erin suggested that it would, although there might be an odd-ball that does not trigger the review.

Steve also questioned the clause “allowed by special permit” and what it would apply to as the article is written.

On the second article, Christian made a number of comments. First, foundation is typically used in the Zoning Bylaw related to the front building line. The use of the word “structure” in the definition, and its use may be confusing for interpretation. He also suggested that the article should not reference particular materials which might be exclusionary. Christian also noted that there may be difficulty in applying this definition relative to the front building line if the nearest structure to a lot’s frontage is an accessory garage. Christian offered an alternative definition to John.

Charlie suggested a sketch be provided. Pam and Christian offered situations where the definition may have unintended consequences.

David asked how much flexibility there is in the article submission and what the immediate effect of defining foundation would be. He noted that it is important to clear up ambiguities, but not when it codifies something different than practice. David recommended vetting the article with Inspectional Services.

Steve’s article is relative to the terms on open space: open space, landscaped open space, and usable open space. He petition would add the word private to the term in Section 2, Definitions, of the Zoning Bylaw. There was some question about whether the rest of the Zoning Bylaw needs to be changed to reflect these terms.

On the minutes from January 22, Charlie made a motion to approve the minutes as written, and Ralph seconded the motion. The vote was unanimous.

Erin noted that the final agenda item is to discuss potentially moving the day and/or time of the regular meeting date. She requested that the members come prepared with their calendars for the next meeting.

Meeting adjourned at 10:30 AM.

Attachment: Presentation by Don Seltzer

What is the Incremental Cost of Increasing School Enrollment?

**The debt associated with the new high school will not be considered
in this discussion**

Methodology

How much education
spending do different
types of housing
require?

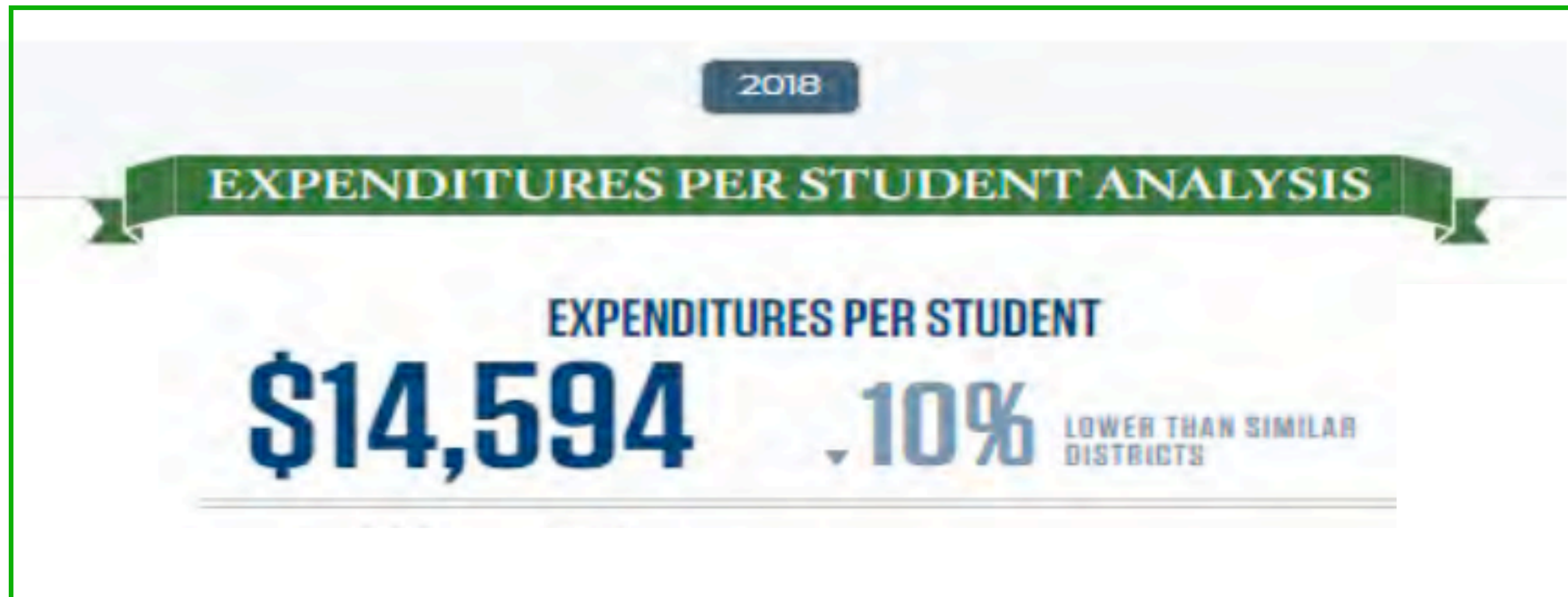
Arlington contributes an incremental
\$7,297
per additional student to local schools

Sources: Town Manager's Office

RKG

What is the real cost per student in Arlington Public Schools?

The APS Report to 2019 Town Meeting says:



It is being suggested by some that additional students are “cheaper,” that the “Incremental Cost” of additional students is only \$7300 per year, just half of the average cost

Reasoning –

There are certain fixed costs that are already being paid for (i.e. central administration)

For additional students, we only have to pay for a few more teachers and put them into an empty classroom

“Efficiencies of Scale” argument, more students lowers average cost

What Do the Actual Numbers Say?

	2016	2017	2018	2019	% Change
School Budget Appropriation	\$53,574,113	\$57,001,333	\$60,928,485	\$66,253,022	24%
Enrollment APS	5304	5524	5711	5936	12%

In the last three years, our school enrollment increased by **12%**, but our school budget has soared by **24%**

The additional students are not “cheaper”

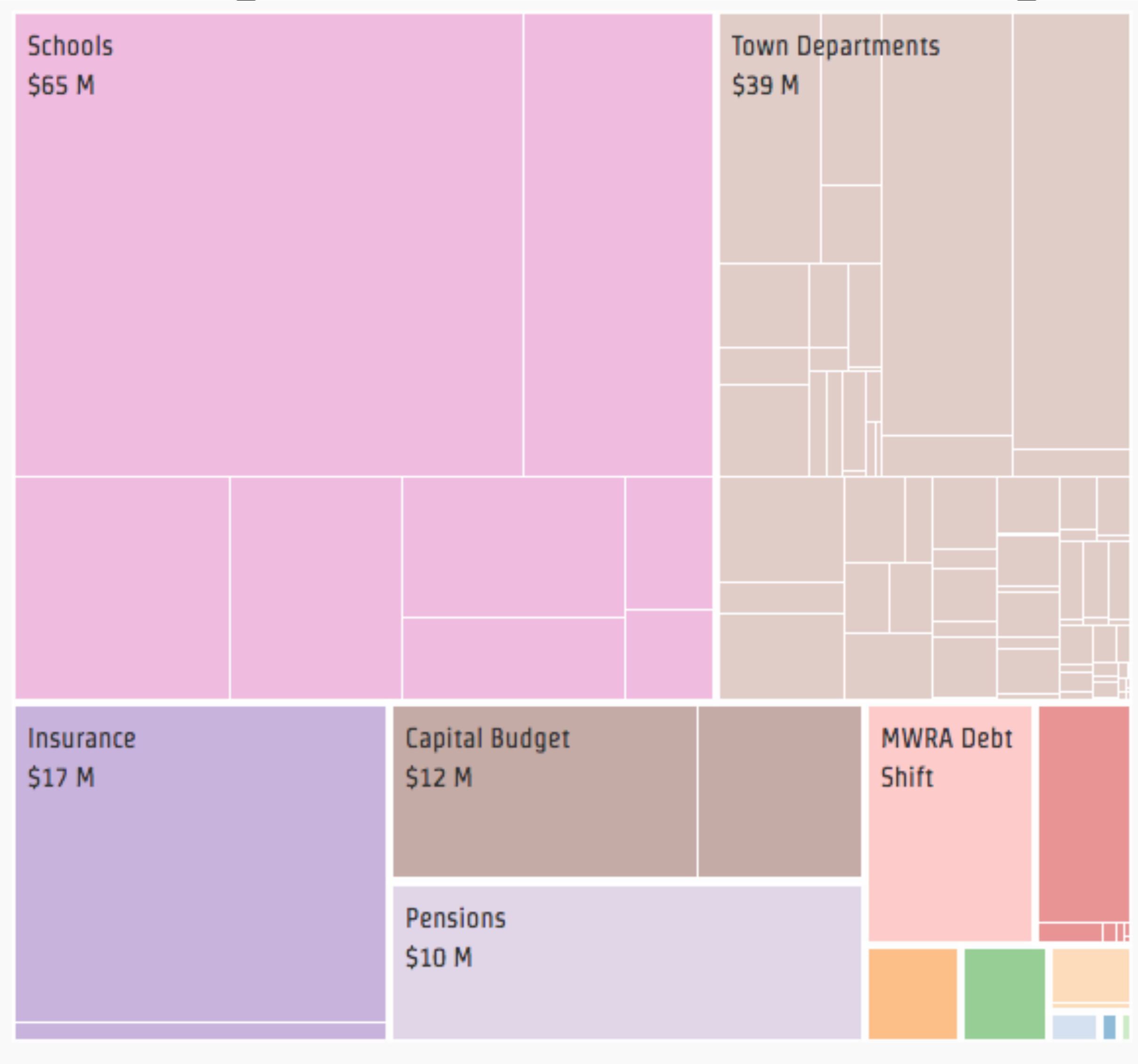
They have driven up the average cost of every student!

Something is wrong about these numbers. What is going on?

Each year, the Finance Committee starts with a base increase for the General Education budget. They then add an 'Enrollment Growth Factor' appropriation. In recent years it has ranged from about \$3500 per additional student to over \$7000. It is tied to the number of new students but is not an accurate representation of actual total costs.

**\$7300 per student is not the real cost.
It is just an appropriation adjustment to part of
the total budget.**

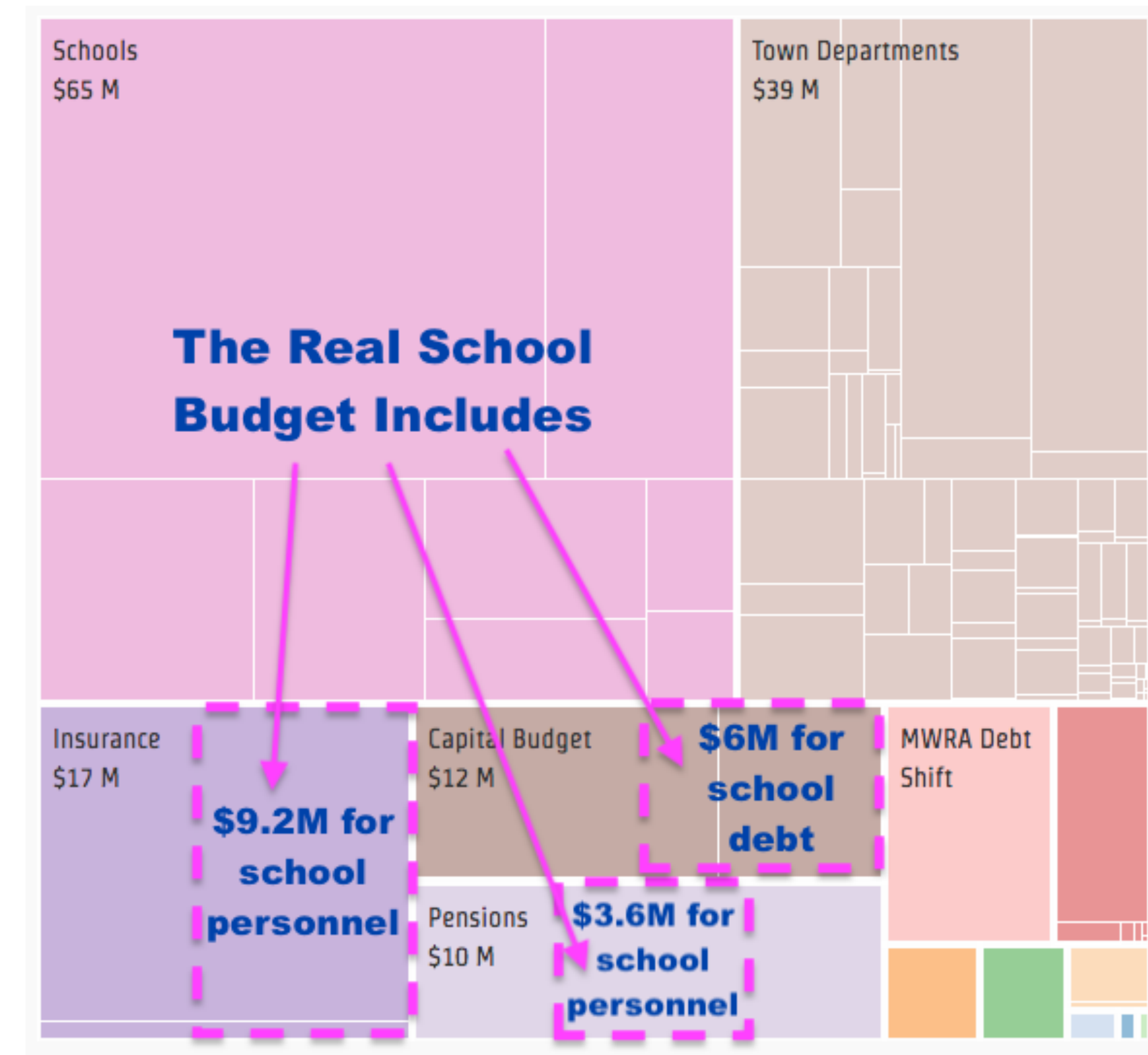
Arlington Visual Budget



The \$66M School Appropriation does not pay for all of the school costs.
Another \$25M is 'hidden' in other Town Budgets.

What the School Dept Budget Does Not Pay For –

- Some of the Utilities
- Teacher Pensions
- Healthcare and other Insurance
- School buildings
- Modular Classrooms
- Minuteman HS (\$43K/student)



Arlington Visual Budget

EXPENDITURE SUMMARY FY19
ALL FUND TYPES

	1	2
	SCH COMM APPROP- RIATIONS	CITY/TOWN APPROP- RIATIONS
Building Security System (4225)	37,426.00	-
Maintenance of Equipment (4230)	17,301.00	-
Extraordinary Maintenance (4300)	-	-
Technology Infrastructure, Maintenance, and Support—Salaries (4400)	597,259.00	-
Technology Infrastructure, Maintenance, and Support—All Other (4450)	318,212.00	-
Employer Retirement Contributions (5100)	2,572.00	3,627,556.00
Employee Separation Costs (5150)	-	101,142.00
Insurance for Active Employees (5200)	-	6,583,165.00
Insurance for Retired School Employees (5250)	-	2,600,040.00
Other Non-Employee Insurance (5260)	-	126,397.00
Rental Lease of Equipment (5300)	-	-
Rental Lease of Buildings (5350)	-	-
Short Term Interest RAN's (5400)	-	-
Short Term Interest BAN'S (5450)	-	56,661.00
Other Fixed Charges (5500)	-	-
School Crossing Guards (5550)	198,715.00	-
Indirect Cost Transfers		
Civic Activities and Community Services (6200)	-	
Recreation Services (6300)	-	
Health Services to Non-Public Schools (6800)	-	-
Transportation To Non-Public Schools (6900)	-	-
Purchase of Land & Buildings (7100, 7200)	60,572.00	672,684.00
Equipment (7300, 7400)	96,392.00	-
Capital Technology (7350)	-	-
Motor Vehicles (7500, 7600)	-	-
Debt Retirement/Sch Construction (8100)	-	3,832,200.00
Debt Service/Sch Construction (8200)	-	1,921,995.00
Debt Service/Educ. & Other (8400, 8600)	-	187,876.00
Tuition to Mass. Schools (9100)	27,189.00	16,062.00
School Choice Tuition (9110)	-	50,556.00
Tuition to Commonwealth Charter Schools (9120)	-	127,241.00
Tuition to Horace Mann Charter Schools (9120)	-	-
Tuition to Out-of-State Schools (9200)	-	-
Tuition to Non-Public Schools (9300)	3,453,084.00	-
Tuition to Collaboratives (9400)	1,542,766.00	-
Regional School Assessment (9500)		4,936,724.00
TOTAL EXPENDITURES, ALL FUNDS	66,005,785.00	26,077,254.00

Drilling Down into the Actual Numbers

**Teacher
Benefits**

**Cost of School Buildings
and Expansion**

Minuteman HS

**\$26M of annual School
Costs are outside of the
School Budget**

What are the Real Incremental Costs of Rising Enrollment?

In the last three years, School Enrollment has increased by about 600 students, overtaxing our facilities, requiring:

- 2017 Thompson addition (6 classrooms) – \$4M debt
- 2018 Hardy addition (6 classrooms) – \$4.8M debt
- 2019 Gibbs reopening – \$27M debt and loss of \$340K per year rental income

None of this appears in the School Budget; it is paid for out of the Capital Budget.

What are the Real Incremental Costs of Rising Enrollment?

The School Budget also does not pay for the modular classrooms that Arlington has rented to handle overflow.

In the last few years, we have spent more than \$3M for this extra capacity.

This adds another \$5K per year additional cost for each student who is housed in these classrooms.

The \$7300 per year Incremental Cost Figure being used for Planning purposes is a bogus number

It ignores the benefits cost of teachers.

It ignores millions spent on modular classrooms.

It ignores millions spent each year on debt payments for school expansion projects.

It ignores the very real fiscal threat of a new elementary school, required by a rising student population.

The debt associated with the new high school has not been considered in this discussion